

United States Bankruptcy Court
Middle District of Pennsylvania

In re:
Paul Hrywnak, Jr.
Debtor

Case No. 23-02348-MJC
Chapter 13

District/off: 0314-5
Date Rcvd: Feb 26, 2024

User: AutoDocke
Form ID: pdf002

Page 1 of 2
Total Noticed: 26

CERTIFICATE OF NOTICE

The following symbols are used throughout this certificate:

Symbol Definition

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
- ^ Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.
- ## Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 28, 2024:

Recip ID	Recipient Name and Address
db	+ Paul Hrywnak, Jr., 14 O'Hara Road, Moscow, PA 18444-6351
5572169	+ Danielle DiLeva, Esquire, KML Law Group, PC, 701 Market Street, Suite 5000, Philadelphia, PA 19106-1541
5572170	+ Edward R. Davailus, 56 Prince Edward Dr., Covington Township, PA 18424-7874
5572171	+ Fidelity Deposit & Discount, 338 N Washington Ave, Scranton, PA 18503-1554
5572174	+ Joseph E. Mariotti, Esquire, 730 Main Street, Moosic, PA 18507-1024
5572175	+ KAB Construction, Inc., 14 O'Hara Road, Moscow, PA 18444-6351
5572176	+ Kathy Dellangelo, 485 Dolored Drive, Collegeville, PA 19426-1121
5572180	+ Mariotti Building Products, Inc., One Lewis Industrial Drive, Old Forge, PA 18518-2058
5572181	+ Modern Gas Sales Inc., PO Box 1, Avoca, PA 18661-0001
5572186	+ Santarelli & Sons Oil Co., 443 N. Main Street, Peckville, PA 18452-2409
5572187	+ Scranton Craftsmen, 930 Dunmore Street, Throop, PA 18512-1114
5572189	+ United Check Cashing, 741 Oak Street, Scranton, PA 18508-1556

TOTAL: 12

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	Email/Text: RVSVBCINOTICE1@state.pa.us	Feb 26 2024 18:48:00	Commonwealth of Pennsylvania, Department of Revenue, Bankruptcy Division, Department 280946, Harrisburg, PA 17128-0496
5572167	+ Email/Text: g20956@att.com	Feb 26 2024 18:48:00	AT&T Mobility II LLC, Karen A. Cavagnaro, One AT&T Way, Suite 3A104, Bedminster, NJ 07921-2693
5572166	+ Email/Text: mnapoletano@ars-llc.biz	Feb 26 2024 18:48:00	Ability Recovery Services, PO Box 4031, Wyoming PA 18644-0031
5572168	+ Email/Text: bnc-capio@quantum3group.com	Feb 26 2024 18:48:00	Capio Partners LLC, 2222 Texoma Pkwy, Suite 150, Sherman TX 75090-2481
5585392	Email/Text: BKSPSElectronicCourtNotifications@spservicing.com	Feb 26 2024 18:48:00	Deutsche Bank National Trust Company, at el, c/o Select Portfolio Servicing, Inc., P.O. Box 65250, Salt Lake City UT 84165-0250
5572172	^ MEBN	Feb 26 2024 18:43:10	Geisinger, 100 North Academy Ave, Danville PA 17822-0001
5572173	Email/Text: sbse.cio.bnc.mail@irs.gov	Feb 26 2024 18:48:00	Internal Revenue Service, Centralized Insolvency Operation, PO Box 7346, Philadelphia PA 19101-7346
5572178	Email/PDF: resurgentbknotifications@resurgent.com	Feb 26 2024 18:46:39	LVNV Funding, c/o Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
5572179	Email/PDF: resurgentbknotifications@resurgent.com	Feb 26 2024 18:46:41	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587

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5572182	Email/Text: bankruptcies@penncredit.com	Feb 26 2024 18:48:00	Penn Credit Corporation, 2800 Commerce Dr, Harrisburg, PA 17110
5572184	^ MEBN	Feb 26 2024 18:44:20	PPL, 827 Hausman Road, Allentown PA 18104-9392
5572183	+ Email/Text: RVSVBCBICNOTICE1@state.pa.us	Feb 26 2024 18:48:00	Pennsylvania Dep't of Revenue, PO Box 280946, Attn: Bankruptcy Division, Harrisburg PA 17128-0946
5572188	Email/Text: BKSPSElectronicCourtNotifications@spservicing.com	Feb 26 2024 18:48:00	Select Portfolio Servicing, PO Box 65250, Salt Lake City, UT 84165-0250
5572190	Email/Text: bankruptcy@uscbcorporation.com	Feb 26 2024 18:47:00	USCB Corporation, 101 Harrison St, Archbald PA 18403

TOTAL: 14

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
5572177	##+	Landmark Community Bank, 2 S Main Street, Pittston PA 18640-1712
5572185	##+	Ronald A. Pickenheim, 336 State Route 690, Springbrook Township, PA 18444-6507

TOTAL: 0 Undeliverable, 0 Duplicate, 2 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 28, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 26, 2024 at the address(es) listed below:

Name	Email Address
J. Zac Christman	on behalf of Debtor 1 Paul Hrywnak Jr. zac@jzacchristman.com, office@fisherchristman.com
Jack N Zaharopoulos	TWeef@pamd13trustee.com
Kelly M. Appleyard	on behalf of Creditor Commonwealth of Pennsylvania Department of Revenue kappleyard@attorneygeneral.gov
Michael Patrick Farrington	on behalf of Creditor Deutsche Bank National Trust Company as Trustee, in trust for registered Holders of Long Beach Mortgage Loan Trust 2005-WL2, Asset-Backed Certificates, Series 2005-WL2 mfarrington@kmllawgroup.com
United States Trustee	ustpregion03.ha.ecf@usdoj.gov

TOTAL: 5

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: PAUL HRYWNAK, JR., aka Paul Hrywnak,	CHAPTER 13
Debtors	CASE NO. 5:23-bk-02348-MJC
	<u>X</u> ORIGINAL PLAN <u> </u> AMENDED PLAN (Indicate 1 st , 2 nd , 3 rd , etc.) <u> </u> 7 Number of Motions to Avoid Liens <u> </u> 2 Number of Motions to Value Collateral

CHAPTER 13 PLAN

NOTICES

Debtors must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as "Not Included" or if both boxes are checked or if neither box is checked, the provision will be ineffective if set out later in the plan.

1	The plan contains nonstandard provisions, set out in § 9, which are not included in the standard plan as approved by the U.S. Bankruptcy Court for the Middle District of Pennsylvania.	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not Included
2	The plan contains a limit on the amount of a secured claim, set out in § 2.E, which may result in a partial payment or no payment at all to the secured creditor.	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not Included
3	The plan avoids a judicial lien or nonpossessory, nonpurchase-money security interest, set out in § 2.G.	<input checked="" type="checkbox"/> Included	<input type="checkbox"/> Not Included

YOUR RIGHTS WILL BE AFFECTED

READ THIS PLAN CAREFULLY. If you oppose any provision of this plan, you must file a timely written objection. This plan may be confirmed and become binding on you without further notice or hearing unless a written objection is filed before the deadline stated on the Notice issued in connection with the filing of the plan.

1. PLAN FUNDING AND LENGTH OF PLAN.

A. Plan Payments From Future Income

1. To date, the Debtor paid \$ 0 (enter \$0 if no payments have been made to the Trustee to date). Debtor shall pay to the Trustee for the remaining term of the plan the following payments. If applicable, in addition to monthly plan payments, Debtor shall make conduit payments through the Trustee as set forth below. The total base plan is \$ 150,500, plus other payments and property stated in § 1B below:

Start mm/yyyy	End mm/yyyy	Plan Payment	Estimated Conduit Payment	Total Monthly Payment	Total Payment Over Plan Tier
11/2023	10/2024	\$ 1,000	N/A	\$ 1,000	\$ 12,000
11/2024	09/2028	\$ 2,885	N/A	\$ 2,885	\$ 135,595
10/2028	10/2028	\$ 2,905	N/A	\$ 2,905	\$ 2,905
				Total Payments:	\$ 150,500

2. If the plan provides for conduit mortgage payments, and the mortgagee notifies the Trustee that a different payment is due, the Trustee shall notify the Debtor and any attorney for the Debtor, in writing, to adjust the conduit payments and the plan funding. Debtor must pay all post-petition mortgage payments that come due before the initiation of conduit mortgage payments.

3. Debtor shall ensure that any wage attachments are adjusted when necessary to conform to the terms of the plan.

4. CHECK ONE: (X) Debtor is at or under median income. *If this line is checked, the rest of § 1.A.4 need not be completed or reproduced.*

B. Additional Plan Funding From Liquidation of Assets/Other

1. The Debtor estimates that the liquidation value of this estate is \$ 0. (Liquidation value is calculated as the value of all non-exempt assets after the deduction of valid liens and encumbrances and before the deduction of Trustee fees and priority claims.)

Check one of the following two lines.

— No assets will be liquidated. *If this line is checked, the rest of § 1.B need not be completed or reproduced.*

X Certain assets will be liquidated as follows:

2. In addition to the above specified plan payments, Debtor shall dedicate to the plan proceeds in the estimated amount of \$ _____ from the sale of property known and designated as _____. All sales shall be completed by _____, 20_____. If the property does not sell by the date specified, then the disposition of the property shall be as follows: _____.

3. Other payments from any source(s) (describe specifically) shall be paid to the Trustee as follows: **any recovery of past or future rent received from property in which Debtor has life rights (potentially in excess of \$100,000).**

2. SECURED CLAIMS.

A. Pre-Confirmation Distributions. Check one.

None. *If "None" is checked, the rest of § 2.A need not be completed or reproduced.*

B. Mortgages (Including Claims Secured by Debtor's Principal Residence) and Other Direct Payments by Debtor. Check one.

None. *If "None" is checked, the rest of § 2.B need not be completed or reproduced.*

C. Arrears, including, but not limited to, claims secured by Debtor's principal residence. Check one.

None. *If "None" is checked, the rest of § 2.C need not be completed or reproduced.*

D. Other secured claims (conduit payments, claims for which a § 506 valuation is not applicable, etc.)

None. *If "None" is checked, the rest of § 2.D need not be completed or reproduced.*

E. Secured claims for which a § 506 valuation is applicable. Check one.

None. *If "None" is checked, the rest of § 2.E need not be completed or reproduced.*

Claims listed in the subsection are debts secured by property not described in § 2.D of this plan. These claims will be paid in the plan according to modified terms, and liens retained until the earlier of the payment of the underlying debt determined under nonbankruptcy law or discharge under § 1328 of the Code. The excess of the creditor's claim will be treated as an unsecured claim. Any claim listed as "\$0.00" or "NO VALUE" in the "Modified Principal Balance" column below will be treated as an unsecured claim. The liens will be avoided or limited through the plan or Debtor will file an adversary action (select method in last column). To the extent not already determined, the amount, extent or validity of the allowed secured claim for each claim listed below will be determined by the court at the confirmation hearing. Unless otherwise ordered, if the claimant notifies the Trustee that the claim was paid, payments on the claim shall cease.

Name of Creditor	Description of Collateral	Value of Collateral (Modified Principal)	Interest Rate	Total Payment	Plan, Adversary or Other Action
IRS (Claim 2) (2012 Lien)	All property of Debtor	\$ 22,911.68	8%	\$ 27,874.20	Plan & Motion/Objection
PA Dep't of Revenue (2010-2016 liens) (Claim 1)	All property of Debtor	\$ 42,219.76	7%	\$ 50,160.00	Plan & Motion/Objection
SN Servicing	14 O'Hara Road, Moscow, Lackawanna County, PA	\$ 35,000	4%	\$ 39,629.40	Plan

F. Surrender of Collateral. Check one.

None. If "None" is checked, the rest of § 2.F need not be completed or reproduced.

G. Lien Avoidance. Do not use for mortgages or for statutory liens, such as tax liens. Check one.

None. If "None" is checked, the rest of § 2.G need not be completed or reproduced.

The Debtor moves to avoid the following judicial and/or nonpossessory, non-purchase money liens of the following creditors pursuant to § 522(f) (this § should not be used for statutory or consensual liens such as mortgages).

Name of Lien Holder.	Edward R. Davailus	Kathy Dellangelo	Mariotti Building Products, Inc.
Lien Description. (For a judicial lien, include court and docket number.)	Lackawanna County Common Pleas Ct. 2013-CV-0770	Lackawanna County Common Pleas Ct. 2012-CV-6466	Lackawanna County Common Pleas Ct. 2012-CV-6466
Description of the liened property.	14 O'Hara Road, Moscow, PA	14 O'Hara Road, Moscow, PA	14 O'Hara Road, Moscow, PA
Liened Asset Value	\$ 35,000	\$ 35,000	\$ 35,000
Sum of Senior Liens	\$ 522,283.36	\$ 522,283.36	\$ 522,283.36
Exemption Claimed	N/A	N/A	N/A
Amount of Lien	\$ 1,585.35	\$ 41,767	\$ 28,394.35
Amount Avoided	\$ 1,585.35	\$ 41,767	\$ 28,394.35

Name of Lien Holder.	Ronald A. Pickenheim	Scranton Craftsmen	
Lien Description. (For a judicial lien, include court and docket number.)	Lackawanna County Common Pleas Ct. 2017-CV-5946	Lackawanna County Common Pleas Ct. 2006-CV-5140	
Description of the liened property.	14 O'Hara Road, Moscow, PA	14 O'Hara Road, Moscow, PA	
Liened Asset Value	\$ 35,000	\$ 35,000	
Sum of Senior Liens	\$ 522,283.36	\$ 522,283.36	
Exemption Claimed	N/A	N/A	
Amount of Lien	\$ 7,013.79	\$ 1,456.49	
Amount Avoided	\$ 7,013.79	\$ 1,456.49	

3. PRIORITY CLAIMS.

A. Administrative Claims

1. Trustee's Fees. Percentage fees payable to the Trustee will be paid at the rate fixed by the United States Trustee.
2. Attorney's fees. Complete only one of the following options:
 - a. In addition to the retainer of \$ 500 already paid by the Debtor, the amount of \$ 5,000 in the plan. This represents the unpaid balance of the presumptively reasonable fee specified in L.B.R. 2016-2(c); or
 - b. \$ _____ per hour, with the hourly rate to be adjusted in accordance with the terms of the written fee agreement between the Debtor and the attorney. Payment of such lodestar compensation shall require a separate fee application with the compensation approved by the Court pursuant to L.B.R. 2016-2(b).
3. Other. Other administrative claims not included in §§ 3.A.1 or 3.A.2 above.
Check one of the following two lines.

X None. *If "None" is checked, the rest of § 3.A.3 need not be completed or reproduced.*

B. Priority Claims (including certain Domestic Support Obligations).

Allowed unsecured claims, entitled to priority under § 1322(a) will be paid in full unless modified under § 9.

Name of Creditor	Estimated Total Payment
Internal Revenue Service (Claim 2)	\$ 101,431.11
PA Dep't of Revenue (Claim 1)	\$ 6,294.47

C. Domestic Support Obligations assigned to or owed to a governmental unit under 11 U.S.C. §507(a)(1)(B). *Check one of the following two lines.*

X None. *If "None" is checked, the rest of § 3.C need not be completed or reproduced.*

4. UNSECURED CLAIMS

A. Claims of Unsecured Nonpriority Creditors Specially Classified. *Check one of the following two lines.*

X None. *If "None" is checked, the rest of § 4.A need not be completed or reproduced.*

B. Remaining allowed unsecured claims will receive a pro-rata distribution of funds remaining after payment of other classes.

5. EXECUTORY CONTRACTS AND UNEXPIRED LEASES. *Check one of the following two lines.*

X None. *If "None" is checked, the rest of § 5 need not be completed or reproduced.*

6. VESTING OF PROPERTY OF THE ESTATE.

Property of the estate will vest in the Debtor upon

Check the applicable line:

- plan confirmation.
- X entry of discharge.
- closing of case:

7. DISCHARGE: (Check one)

- (X) The debtor will seek a discharge pursuant to § 1328(a).
- () The debtor is not eligible for a discharge because the debtor has previously received a discharge described in § 1328(f).

8. ORDER OF DISTRIBUTION:

If a pre-petition creditor files a secured, priority or specially classified claim after the bar date, the Trustee will treat the claim as allowed, subject to objection by the Debtor.

Payments from the plan will be made by the Trustee in the following order:

Level 1	Adequate protection payments	\$ -0-	
Level 2	Debtor's attorney's fees.	\$ 5,000	
Level 3	Domestic Support Obligations	\$ -0-	
Level 4	Priority claims, pro rata	\$ 107,725.58	
Level 5	Secured claims, pro rata	\$ 117,663.60	
Level 6	Specially classified unsecured claims	\$ -0-	
Level 7	General unsecured claims	\$ 40.40	
Level 8	Untimely filed unsecured claims to which the debtor(s) has/have not objected.	\$ -0-	
	Subtotal		\$ 99,033
	Trustee Commission (Estimated at 8.9%)	\$ 9,675	
	Total		\$ 250,500

If the above Levels are filled in, the rest of § 8 need not be completed or reproduced.

9. NONSTANDARD PLAN PROVISIONS

Include the additional provisions below or on an attachment. Any nonstandard provision placed elsewhere in the plan is void. (NOTE: The plan and any attachment must be filed as one document, not as a plan and exhibit.)

- A. This Plan contains 1) a chart in Section 8, above, that contains estimated distributions to each class of creditors, in addition to all other items required by the Model Plan; and 2) no signature line for a joint debtor as there is none.
- B. Debtor's real property at 14 O'Hara Road, Moscow, Lackawanna County, PA, upon which a portion of Debtor's residence sits, is valued at \$35,000.
- C. This Plan provides for the avoidance of the entirety of the judgment lien of **Edward R. Davailus**. See Section 2.G, above. A copy of this Plan and the Discharge Order entered in the case may be filed in the appropriate office of the Court of Common Pleas of **Lackawanna** County to demonstrate the judgment lien of **Edward R. Davailus** was avoided.
- D. This Plan provides for the avoidance of the entirety of the judgment lien of **Kathy Dellangelo**. See Section 2.G, above. A copy of this Plan and the Discharge Order entered in the case may be filed in the appropriate office of the Court of Common Pleas of **Lackawanna** County to demonstrate the judgment lien of **Kathy Dellangelo** was avoided.

- E. This Plan provides for the avoidance of the entirety of the judgment lien of **Mariotti Building Products, Inc.**. See Section 2.G, above. A copy of this Plan and the Discharge Order entered in the case may be filed in the appropriate office of the Court of Common Pleas of **Lackawanna** County to demonstrate the judgment lien of **Mariotti Building Products, Inc.**, was avoided.
- F. This Plan provides for the avoidance of the entirety of the judgment lien of **Ronald A. Pickenheim**. See Section 2.G, above. A copy of this Plan and the Discharge Order entered in the case may be filed in the appropriate office of the Court of Common Pleas of **Lackawanna** County to demonstrate the judgment lien of **Ronald A. Pickenheim** was avoided.
- G. This Plan provides for the avoidance of the entirety of the judgment lien of **Scranton Craftsmen**. See Section 2.G, above. A copy of this Plan and the Discharge Order entered in the case may be filed in the appropriate office of the Court of Common Pleas of **Lackawanna** County to demonstrate the judgment lien of **Scranton Craftsmen** was avoided.
- H. Debtor reasonably believes that priority claims will be significantly reduced after recent tax returns are processed by the Internal Revenue Service and the PA Department of Revenue.

Dated: October 27, 2023

/s/ J. Zac Christman
J. Zac Christman, Esquire, Attorney for Debtor

/s/ Paul Hrywnak, Jr.
PAUL HRYWNAK, JR., Debtor

By filing this document, the debtor, if not represented by an attorney, or the Attorney for Debtor also certifies that this plan contains no nonstandard provisions other than those set out in § 9.